

## **SELECTIVE SERVICE REGISTRATION: RENUNCIATION OF CITIZENSHIP BY DUAL NATIONALS**

1. (a) **Question:** Is the person who renounces citizenship for the express reason of avoiding the Selective Service registration requirement likely to encounter any added difficulties or legal problems if he should later decide to visit the U.S.?

**Answer:** Apart from having to qualify for the class of visa which he is seeking, such an individual will experience no difficulties or legal problems should he seek to enter the U.S. However, should he enter the U.S. as an immigrant, or should he adjust status while in the U.S. to that of a permanent resident or should he lose his non-immigrant status and remain in the U.S. he would be obliged to register with the Selective Service system within thirty days of entry or change in status. Such liability would remain until he attains his 27<sup>th</sup> birthday.

(b) **Question:** Does renunciation of citizenship after the date the person was scheduled to register obviate the requirement to register?

**Answer:** No. A U.S. citizen who is required to register under the law will be required to register or be subject to the penalties of the law. However, the Dept cannot assess at this time whether a prosecution would be taken in any individual case, as this is a matter which falls within the jurisdiction of the Dept of Justice.

(c) **Question:** What is a person's status with regard to Selective Service if he renounces after having registered?

**Answer:** He remains registered with the Selective Service. However, in the event military conscription is reinstituted, he could claim an exemption based on alienage. (See Question and Answer D.)

(d) **Question:** Is there any need for the ex-citizen to notify Selective Service of his renunciation of citizenship?

**Answer:** Yes. Selective Service has stated that it will remove the names of renunciants, who are resident outside the U.S., from their rolls. Since such a person would be an alien resident outside of the U.S., he would not be subject to the provisions of the Military Selective Service Act (MSSA) and therefore not actually subject to a call up. SSS cannot know about a change in the registrant's status unless he advises them promptly and sends a copy of his Certificate of Loss of Nationality to them as evidence of his alienage.

2. Registrants who inquire about the possibility of military conscription or ask questions about their classification under any reinstituted draft system, should be encouraged to write directly to the Selective Service System. Since such questions are purely hypothetical at this time, neither the Dept nor its registrars are qualified to give hypothetical answers. It should be emphasized however that there is no strong sentiment in any segment of the U.S. government, at this time, for a resumption of the draft.